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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/249,011	02/12/1999	MAN SUNG CO	GI-5315	9459

25291 7590 03/05/2002

AMERICAN HOME PRODUCTS CORPORATION
FIVE GIRALDA FARMS
PATENT LAW
MADISON, NJ 07940

EXAMINER

GAMBEL, PHILLIP

ART UNIT PAPER NUMBER

1644

DATE MAILED: 03/05/2002

Please find below and/or attached an Office communication concerning this application or proceeding.



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office

Assistant Commissioner for Patents and Trademarks
Washington, D.C. 20540

02/24/01

1647

22

Below is a communication from the EXAMINER in charge of this application

COMMISSIONER OF PATENTS AND TRADEMARKS

ADVISORY ACTION

THE PERIOD FOR RESPONSE

1. ☐ is extended to run _____ or continues to run _____ from the date of the final rejection.
2. ☐ expires three months from the date of the final rejection or as of the mailing date of this Advisory Action, whichever is later. In no event, however, will the statutory period for the response expire later than six months from the date of the final rejection.
- Any extension of time must be obtained by filing a petition under 37 CFR 1.136(a), the proposed response and the appropriate fee. The petition with the response, the petition fee and the fee have been filed with the date of the response and also the date for the purpose of determining the period of extension and the corresponding amount of the fee. Any extension fee pursuant to 37 CFR 1.137 will be calculated from the date of the originally set shortened statutory period for response or as set forth in brackets above.

3. ☒ Applicant's Brief is due in accordance with 37 CFR 1.199(a).
4. ☒ Applicant's response to the final rejection, filed 11/3/01 has been considered with the following effect, but it is not deemed to place the application in condition for allowance:

1. ☒ The proposed amendments to the claim and/or specification will not be entered and the final rejection stands because:
- a. ☒ There is no convincing showing under 37 CFR 1.116(b) why the proposed amendment is necessary and was not earlier presented.
 - b. ☒ They raise new issues that would require further consideration and/or search. (See Note.)
 - c. ☒ They raise the issue of new matter. (See Note.)
 - d. ☒ They are not deemed to place the application in better form for approval by materially reducing or simplifying the issues for appeal.
 - e. ☐ They present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: ADDN'T IN SUBSTITUTION LAST PAGE OF SPEC. INCLUDING ENTIRE J. EXP. MOD. 174:
1639-1652 (1991) RAISES NEW ISSUES/NEW MATTER. HOST DOCUMENT MUST IDENTIFY
WITH PARTICULARITY WHAT SPECIFIC MATERIALS IT INCORPORATES IN RE SEVERAL
SPEC DOES NOT SUPPORT INCORPORATION BY REFERENCE FOR ENTIRE ARTICLE
2. EXP. MOD. ALSO RAISES SEQUENCE COMPARISON ISSUES

2. ☐ Newly proposed or amended claims _____ would be allowed if submitted in a separately filed amendment canceling the nonallowable claims.
3. ☒ Upon the filing of an appeal, the proposed amendment ☐ will be entered ☒ will not be entered and the status of the claims will be as follows:
- Claim allowed _____
 - Claim objected to _____
 - Claims rejected: 1-14, 15, 41, 23-25, 27, 28, 30-36, 38-40, 46, 64-76
- However, _____
4. ☐ Applicant's response has overcome the following rejections:

PHILLIP GAMBEL
PHILLIP GAMBEL, PH.D.
PRIMARY EXAMINER
JAN 24 2002

4. ☒ The proposed amendments were taken into consideration and the applicant's arguments were not entered because:
- FOR THE REASONS OF RECORD, APPLICANT'S ARGUMENTS AND THE EXAMINER'S REBUTTAL ARE ESSENTIALLY THE SAME AS OF RECORD
5. ☐ The objection to which it will not be dealt with during the appeal is of a technical nature and sufficient reasons why it was not earlier presented:
- The proposed drawing correction _____ has _____ had not been approved by the examiner.
6. ☐ Other _____